

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
5:08CV99-1-MU

RAJPUTANA RIDLEY,

Plaintiff,

v.

KENNETH WHITENER,

Defendant.

**ORDER**

**THIS MATTER** comes before the Court upon Plaintiff's Motion for Order Compelling Discovery Plan (Doc. No. 34), filed February 19, 2009.

In his Motion Plaintiff asserts that he has attempted in good faith to set up a meeting to confer with opposing counsel and set up a proposed discovery plan as required by Rule 26(f) of the Federal Rules of Civil Procedure. Plaintiff asserts that he has not received any response from Counsel for Defendant. Rule 26(f) does not apply to pro se prisoner cases. Fed. R. Civ. P. 26(a)(1)(B)(iv). As such, this Court declines to order Defendant's counsel to participate in such a meeting.

**IT IS THEREFORE ORDERED THAT** Plaintiff's Motion for Order Compelling Discovery Plan (Doc. No. 34) is **DENIED**.

Signed: March 3, 2009



Graham C. Mullen  
United States District Judge

